

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

SEAN WILLIAMS,

Plaintiff,

-v-

OFFICE OF CHILD SUPPORT; NYU
LANGONE MEDICAL CENTER,

Defendants.

21 Civ. 8235 (PAE)

ORDER DIRECTING PAYMENT OF FEE
OR IFP APPLICATION

PAUL A. ENGELMAYER, United States District Judge:

Plaintiff Williams brings this action *pro se*.¹ To proceed with a civil action in this Court, a plaintiff must either pay \$402.00 in fees – a \$350.00 filing fee plus a \$52.00 administrative fee – or, to request authorization to proceed without prepayment of fees, submit a signed *in forma pauperis* (IFP) application. *See* 28 U.S.C. §§ 1914–15.

Here, Williams submitted the complaint with a check for \$505.00 instead of \$402.00.

The Court directs the Clerk of Court to return to Williams the \$505.00 check because the amount is improper.

Within thirty days of the date of this order, Williams must either pay the \$402.00 in fees or submit the attached IFP application. If Williams submits the IFP application, it should be labeled with docket number 21 Civ. 8235 (PAE). If the Court grants the IFP application, Williams will be permitted to proceed without prepayment of fees. *See* 28 U.S.C. § 1915(a)(1).

¹ This is Williams's third suit in this Court in connection with execution of an income withholding order for child support. *See Williams v. NYU Hosp. Ctr. Finance and Payroll Support*, No. 19 Civ. 11612, 1 (S.D.N.Y. Apr. 14, 2020); *Williams v. Cooper*, No. 20 Civ. 4125 (S.D.N.Y. Apr. 14, 2020). Plaintiff does not indicate in the complaint whether he sought modification in the Vermont Family Court of the child support order.

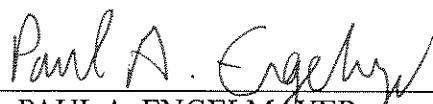
The Clerk of Court is directed to mail a copy of this order to Williams and note service on the docket. No summons shall issue at this time. If Williams complies with this order, the case shall be processed in accordance with the procedures of the Clerk's Office. If Williams fails to comply with this order within the time allowed, the action will be dismissed without prejudice for failure to comply with this order.

The Court certifies under 28 U.S.C. § 1915(a)(3) that any appeal from this order would not be taken in good faith, and therefore *in forma pauperis* status is denied for the purpose of an appeal. *Cf. Coppedge v. United States*, 369 U.S. 438, 444–45 (1962) (holding that appellant demonstrates good faith when seeking review of a nonfrivolous issue).

SO ORDERED.

Dated:

New York, New York
10/7/2021



PAUL A. ENGELMAYER
United States District Judge